

SERVICE DATE – LATE RELEASE JANUARY 24, 2014

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 1087 (Sub-No. 1X)

GRENADA RAILWAY LLC – ABANDONMENT EXEMPTION – IN MONTGOMERY,
CARROLL, HOLMES, YAZOO, AND MADISON COUNTIES, MISS.

Decided: January 24, 2014

On December 17, 2013, Grenada Railway LLC (GRYR) filed a petition under 49 U.S.C. § 10502 for exemption from the prior approval requirements of 49 U.S.C. § 10903 to abandon the southern segment of its line of railroad between milepost 626.1 near Elliott and milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo, and Madison Counties, Miss. (the Line). Notice of the petition was served and published in the Federal Register on January 6, 2014 (79 Fed. Reg. 702). In that notice, the Board instituted an exemption proceeding and notified the public that any replies to GRYR's petition for exemption are due no later than January 27, 2014.¹

On January 17, 2014, the Mississippi Transportation Commission (the Commission), an agency of three elected members in which the State of Mississippi has vested oversight of its transportation resources and operations, filed a letter stating that they would like to explore all alternatives to the proposed abandonment, including working with the Mississippi Legislature and others.² To provide the time necessary for a legislative solution, the Commission requests that the Board defer the due date for filing protests or comments until April 28, 2014.³

On January 22, 2014, GRYR filed a letter in response to the Commission's request. GRYR states that it would prefer not to seek Board abandonment authority and that "it is pleased to learn that the Commission would like to explore all alternatives to the proposed abandonment,

¹ Requests for a public use condition under 49 C.F.R. § 1152.28 or for trail use/rail banking under 49 C.F.R. § 1152.29 are also due by January 27, 2014.

² MTC Letter 1, Jan. 17, 2014.

³ Id. at 2.

including working with the Mississippi Legislature,”⁴ and that “GRYR agrees to the postponement request.”⁵

The Board favors the private resolution of disputes whenever possible. Here the parties have agreed to a proposed modification of the procedural schedule to facilitate a possible alternative to abandonment of the Line. Accordingly, the Board will modify the procedural schedule as follows: Replies to GRYR’s petition will now be due on April 28, 2014, and the Board intends to issue a decision by July 3, 2014.⁶ Any offer of financial assistance under 49 C.F.R. § 1152.27(b)(2) will be due no later than 10 days after the service date of a decision granting the petition for exemption.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The procedural schedule is modified as discussed above.
2. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

⁴ GRYR Letter 1, Jan. 22, 2014.

⁵ Id.

⁶ On December 27, 2013, Robert Riley filed a motion to reject the petition. Mr. Riley’s motion will be addressed in a separate Board decision.